



March 22, 2006

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The Honorable Patti B. Saris
U.S. Courthouse
One Courthouse Way
Boston, MA 02210

Re: *Timothy M. Browder v. National Financial Systems, Inc.*
Docket No. 05-CV-10464PBS

Dear Judge Saris:

This constitutes the joint report of the parties as requested at our appearance before you March 8. During the last two weeks, more discussions about settlement have taken place, and both sides have moved, but the matter has not settled.

Accordingly, the parties suggest:

- (1) discovery should be allowed to resume and continue for a maximum period of 75 days;
- (2) the parties should have 15 days following the conclusion of the discovery period to file and serve any dispositive motions;
- (3) discovery to be conducted by the plaintiff will include the rescheduling and taking of a Fed. R. Civ. P. 30(b)(6) deposition of the defendant as previously noticed, and a document request to the defendant directed to discover information about the defendant's net worth and any changes in its net worth during the last several months;
- (4) no other discovery is contemplated, unless plaintiff considers the responses to paper discovery around the net worth issue to be inadequate;
- (5) the parties disagree as to the usefulness of any further mediation attempt, with the plaintiff considering such an effort is unlikely to bear fruit and the defendant still hopeful that a further session (after the completion of discovery about net worth) could be useful.

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The parties await your further order in response to this status letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven S. Broadley", with a long, sweeping underline that extends down towards the "cc:" line.

Steven S. Broadley

SSB/jlf

ID # 465041v01/14528-2

cc: Francis R. Greene, Esquire (By Email)
Michael G. Salemi, Esquire (By Email)